

COURTROOM MINUTES OF CRIMINAL PROCEEDINGS
Norfolk/Newport News Division

SENTENCING MINUTES

Set: 9:00 a.m.
Started: 9:00 a.m.
Ended: 10:50 a.m.

Date: June 28, 2024
Judge: Arenda Wright Allen
Court Reporter: Michelle Maar
U.S. Attorney: Peter Osyf
Defense Counsel: Fernando Groene
Courtroom Deputy: Lorraine Howard
Probation Officer: Joshua Coleman

Case No. 4:22cr44
Defendant: Dartanguia Antonious Lee

(X) in custody () on bond

IMPRISONMENT:

SENTENCE: Counts 19, 33 and 35: The defendant shall be committed to the custody of the BOP to be imprisoned for a total term of 204 months. The term consists of 120 months on count 19, a term of 60 months on count 33 and a term of 204 months on count 35, all to be served concurrently.

X The defendant is remanded to the custody of the U.S. Marshal.

The defendant shall surrender for service of the sentence at the institution designated by the BOP/U.S. Marshal before _____ on _____, as notified by the U.S. Marshal.

If defendant is unable to arrange transportation to the designated institution, the United States Marshal will arrange transportation for the defendant.

If the defendant is not notified by the United States Marshal of the institution designated, the defendant shall report to the United States Marshal at 600 Granby Street, Norfolk, VA, by _____ on _____, to begin service of the sentence.

PROBATION:

The defendant shall be placed on probation for a term of year

SUPERVISED RELEASE:

Upon release from imprisonment, the defendant shall be on supervised release for a term of 5 years. This term consists of 3 years on count 19, a term of 3 years on count 33, and a term of 5 years on count 35, all to run concurrently.

The Court will not impose a term of supervised release as it is not required by statute and the defendant is a deportable alien who likely will be deported after imprisonment.

Standard Conditions of Supervised/Probation:

The defendant shall report in person to the probation office in the district to which the defendant is released within 72 hours of release from the custody of the Bureau of Prisons.

While on supervised release, the defendant shall not commit another federal, state, or local crime.

While on supervised release, the defendant shall not illegally possess a controlled substance.

While on supervised release, the defendant shall not possess a firearm, destructive device, or any other dangerous weapon.

The defendant shall refrain from any unlawful use of a controlled substance and submit to one drug test within 15 days of commencement on supervised release and at least two periodic drug test thereafter, as directed by the probation officer.

As reflected in the presentence report, the defendant presents a low risk of future substance abuse and therefore, the court hereby suspends the mandatory condition for substance abuse testing as defined by 18 USC 3563 (a)(5). However, this does not preclude the U.S. Probation Office from administering drug tests as they deem appropriate.

It shall be a condition of supervised release that the defendant pay any such fine or restitution that remains unpaid at the commencement of the term of supervised release in accordance with the Schedule of Payments set forth in the Criminal Monetary Penalties sheet of this judgment.

Special Conditions of Supervised Release/Probation:

The defendant shall participate in a program approved by the United States probation office for substance abuse treatment as directed by the probation officer. The cost of this program is to be paid by the defendant as directed by the probation officer.

The defendant shall not have any contact with any known gang members.

The defendant shall participate in a program approved by the United States probation office for mental health treatment. The cost of this program is to be paid by the defendant as directed by the probation officer.

FINANCIAL PENALTIES

SPECIAL ASSESSMENT:

As to count 19, the defendant shall pay a special assessment in the amount of \$100.00.

As to count 33, the defendant shall pay a special assessment in the amount of \$100.00.

As to count 35, the defendant shall pay a special assessment in the amount of \$100.00.

As to count ___, the defendant shall pay a special assessment in the amount of ____.

The total special assessment due is \$300.00 and shall be due in full immediately.

FINE:

No fine imposed

Court finds defendant is unable to pay fine.

The defendant shall pay a fine in the amount of \$_____.

RESTITUTION:

No restitution imposed.

The defendant shall make restitution in the amount of \$_____.

Restitution Judgment Order, entered and filed in open court.

SCHEDULE OF PAYMENTS:

Interest will not accrue if the special assessment/fine/restitution is paid in accordance with the schedule, or any modified schedule, set by this court.

The special assessment shall be due in full immediately. If the special assessment is not paid immediately, any balance remaining unpaid on the special assessment at the inception of supervision, shall be paid by the defendant in installments of not less than \$ 50.00 per month, until paid in full. Said payments shall commence 60 days after defendant's supervision begins.

At the time supervision commences, the probation officer shall take into consideration the defendant's economic status as it pertains to his ability to pay the special assessment ordered and shall notify the court of any change that may need to be made to the payment schedule.

Each restitution payment shall be divided proportionately among the payees named.

Restitution shall be made jointly and severally with _____

Any special assessment payments may be subject to penalties for default and delinquency.

Nothing in the Court's order shall prohibit the collection of any judgment by the United States.

Since this judgment imposes a period of imprisonment, payment of Criminal Monetary penalties shall be due during the period of imprisonment. All criminal monetary penalty payments are to be made to the Clerk, United States District Court, except those payments made through the Bureau of Prisons' Inmate Financial Responsibility Program.

The defendant shall notify the United States Attorney for this district within 30 days of any change of name, residence, or mailing address until the special assessment imposed by this judgment is fully paid.

The defendant notified of right of appeal.

Court noted that defendant waived right of appeal in plea agreement.

On motion of government, indictment and remaining counts of superseding indictment dismissed.

The defendant is continued on present bond and cautioned re bail jumping.

Court recommends incarceration at

the facility in Butner, North Carolina or a facility in West Virginia.

a facility with a Residential Drug Abuse Program (RDAP) when and if defendant qualifies.

a facility that will provide a mental health evaluation, diagnosis and treatment as needed.

a facility that will provide anger management treatment.

a facility that will provide any UNICOR program.

a facility that will provide any Commercial Driver's License (CDL) program.

Consent Order of Forfeiture forthcoming.

Additional Counts/Comments:
